

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:18-CR-000265-D

UNITED STATES OF AMERICA :
 :
 v. :
 :
 ELTON TYLER MITCHELL :

ORDER OF FORFEITURE

WHEREAS, pursuant to the entry of a Memorandum of Plea Agreement by the defendant on November 5, 2018, and further evidence of record as presented by the Government, the Court finds that the following property is hereby forfeitable pursuant to 18 U.S.C. § 924(d)(1), made applicable to this proceeding by virtue of 28 U.S.C. § 2461(c), as ammunition used in knowing violations of 18 U.S.C. §§ 922(g)(1) and 924, to wit:

- Hi-Point, model C9, 9mm pistol, serial number P1832449, and
- Any and all related ammunition, including but not limited to, 9mm and .380 ammunition.

AND WHEREAS, by virtue of said Memorandum of Plea Agreement, the United States is now entitled to possession of said personal property, pursuant to Fed. R. Crim. P. 32.2(b)(3);


It is hereby ORDERED, ADJUDGED and DECREED:

1. That based upon the Memorandum of Plea Agreement as to the defendant, the United States is hereby authorized to seize the above-stated personal

property, and it is hereby forfeited to the United States for disposition in accordance with the law, including destruction, as allowed by Fed. R. Crim. P. 32.2(b)(3). In accordance with Fed. R. Crim. P. 32.2(b)(4)(A), this Order shall be final as to the defendant upon entry.

2. That upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is directed to incorporate a reference to this Order of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b)(4)(B).

SO ORDERED. This 20 day of February, 2019.



JAMES C. DEVER, III
United States District Judge